

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DEUNTA BOYETT,	)	
	)	
Plaintiff,	)	No. 1:21-cv-04345
	)	
v.	)	JURY TRIAL DEMANDED.
	)	
MARTEN TRANSPORT SERVICES,	)	
LTD., a Delaware Corporation, and	)	
MOHAMMAD ALI YASIN,	)	
	)	
Defendants.	)	

**COMPLAINT**

NOW COMES the Plaintiff, DEUNTA BOYETT (hereinafter "Plaintiff"), by and through his attorneys, Gainsberg Law, P.C., complaining of the Defendants, MARTEN TRANSPORT SERVICES, LTD., a Delaware Corporation and MOHAMMAD ALI YASIN, states as follows:

**NATURE OF ACTION**

1. This is a cause of action for personal injuries the Plaintiff, DEUNTA BOYETT sustained on March 24, 2020, in the City of Belvidere, County of Boone, within the Northern District of Illinois.

**JURISDICTION AND VENUE**

2. That Plaintiff, DEUNTA BOYETT is a citizen and a resident of the State of Illinois.

3. That Defendant, MOHAMMAD ALI YASIN is a citizen and a resident of the State of Texas.

4. That Defendant, MARTEN TRANSPORT SERVICES, LTD. is and was at all relevant times incorporated in the State of Delaware and its' principal place of business in the State of Wisconsin.

5. That the amount in controversy exceeds \$75,000.00 dollars, as Plaintiff, DEUNTA BOYETT sustained a concussion as well as a cervical displacement and protrusion of intervertebral disc of the lumbosacral region, which required physical therapy and medical treatment for several months. In addition, Plaintiff, DEUNTA BOYETT incurred a loss of wages as a result of the personal injuries sustained in the subject occurrence.

6. That this Court has jurisdiction over this matter pursuant to 28 U.S.C. §1332 on the basis that there is complete diversity in citizenship and the amount in controversy exceeds \$75,000.00 dollars.

7. The alleged wrongful acts of Defendants, MARTEN TRANSPORT SERVICES, LTD., a Delaware Corporation, and MOHAMMAD ALI YASIN described herein occurred in the State of Illinois, Northern District of Illinois. In addition, Plaintiff, DEUNTA BOYETT received medical treatment in the State of Illinois, County of DuPage and other counties of the Northern District of Illinois—Eastern Division. Therefore, venue in the Northern District of Illinois is proper pursuant to 28 U.S.C. § 1391(b).

**COUNT I**  
***Negligence***

*(DEUNTA BOYETT v. MARTEN TRANSPORT SERVICES, LTD.)*

8. That on March 4, 2020, and for some time prior and subsequent thereto, Defendant MARTEN TRANSPORT SERVICES, LTD., a Delaware Corporation, owned, leased, operated, managed, maintained, and controlled and/or otherwise contracted to own,

lease, operate, manage, maintain and control a 2015 International freightliner motor vehicle with VIN no. 3HSDJSNR5FN667252, which operated on 6765 Imron Drive, City of Belvidere, County of Boone and State of Illinois.

9. That on March 24, 2020, and at all times relevant hereto, Defendant MOHAMMAD ALI YASIN was acting within the course and scope of his employment and/or agency with Defendant, MARTEN TRANSPORT SERVICES, LTD.

10. That on or about March 24, 2020, Plaintiff, DEUNTA BOYETT was legally and lawfully operating a 2017 Freightliner motor vehicle and parked in the northbound direction on or about 6765 Imron Drive, City of Belvidere, County of Boone and State of Illinois.

11. That on or about March 24, 2020, Defendant, MOHAMMAD ALI YASIN was driving a 2015 International freightliner motor vehicle and backing into the parking space immediately west of Plaintiff's motor vehicle on or about 6765 Imron Drive, City of Belvidere, County of Boone and State of Illinois.

12. That at the aforesaid time and place, a collision occurred between the motor vehicle in which Plaintiff, DEUNTA BOYETT was operating and the motor vehicle that the Defendant, MOHAMMAD ALI YASIN was driving when Defendant, MOHAMMAD ALI YASIN caused the rear portion of the motor vehicle he was driving to collide with the motor vehicle Plaintiff, DEUNTA BOYETT was operating.

13. That at all times material hereto, it was the duty of the Defendant MARTEN TRANSPORT SERVICES, LTD., individually and by and through its' agents, servants, and/or employees to exercise ordinary care in the ownership, operation, maintenance, and control of

said motor vehicle for the safety of the person and property of others there and then upon said roadway and especially the Plaintiff, DEUNTA BOYETT herein.

14. That in violation of this duty, the Defendant, MARTEN TRANSPORT SERVICES, LTD., individually and by and through its agents, servants, and employees acted or failed to act in one or more of the following ways, amounting to negligent conduct and violating the Motor Vehicle Laws of the State of Illinois:

- a. Operated said motor vehicle without keeping a proper and sufficient lookout for other motor vehicles in and about the area, and more particularly, for the motor vehicle being operated by the Plaintiff, in violation of the provisions of 625 ILCS 5/11-601;
- b. Proceeded at a speed which was greater than reasonable and proper with regard to traffic conditions in the use of the way, or which endangered the safety of Plaintiff, DEUNTA BOYETT, in violation of the provisions of 625 ILCS 5/11-601;
- c. Failed to decrease the speed of said motor vehicle so as to avoid colliding with the motor vehicle being operated by Plaintiff, DEUNTA BOYETT, contrary to and in violation of the provisions of 625 ILCS 5/11-601;
- d. Failed to equip said motor vehicle with proper brakes, contrary to and in violation of the provisions of 625 ILCS 5/12-301;
- e. Failed to give audible warning with said motor vehicle's horn of the approach of said motor vehicle, although such warning was necessary

to insure the safe operation of said vehicle, contrary to and in violation of the provisions of 625 ILCS 5/12-601;

- f. Failed to keep said motor vehicle under proper control and failed to stop, slow down, or otherwise alter the speed, movement or direction of said vehicle when danger of collision with the motor vehicle being operated by the Plaintiff, DEUNTA BOYETT, was imminent, contrary to and in violation of the provisions of 625 ILCS 5/11-710;
- g. Knowingly drove a motor vehicle with total disregard for the safety and well-being of other motor vehicles, drivers and passengers, particularly, Plaintiff, DEUNTA BOYETT, using the roadways of the State of Illinois, in violation of the provisions of 625 ILCS 5/11-503;
- h. Otherwise acted in a careless or negligent manner in operation and control of said motor vehicle.

15. That as a direct and proximate result of Defendant, MARTEN TRANSPORT SERVICES, LTD., individually and by and through its agents, servants, and/or employees aforesaid careless and negligent acts and/or omissions, the Plaintiff, DEUNTA BOYETT was caused to sustain personal injuries, to incur and pay medical and hospital expenses, incur a loss of wages, and to be absent from his usual pursuits and occupation for a period of time.

**WHEREFORE**, Plaintiff, DEUNTA BOYETT prays for judgment against Defendant, MARTEN TRANSPORT SERVICES, LTD. in an amount in excess of \$75,000.00 dollars plus court costs, attorney's fees, and for whatever other relief this court deems just and appropriate.

**COUNT II**  
***Negligence***  
***(DEUNTA BOYETT v. MOHAMMAD ALI YASIN)***

16. Plaintiff realleges and incorporates Paragraphs 1 through 15 of this Complaint as if stated herein.

17. That on March 4, 2020, and for some time prior and subsequent thereto, Defendant MARTEN TRANSPORT SERVICES, LTD., a Delaware Corporation, owned, leased, operated, managed, maintained, and controlled and/or otherwise contracted to own, lease, operate, manage, maintain and control a 2015 International freightliner motor vehicle with VIN no. 3HSDJSNR5FN667252, which operated on 6765 Imron Drive, City of Belvidere, County of Boone and State of Illinois.

18. That on March 24, 2020, and at all times relevant hereto, Defendant MOHAMMAD ALI YASIN was acting within the course and scope of his employment and/or agency with Defendant, MARTEN TRANSPORT SERVICES, LTD.

19. That on or about March 24, 2020, Plaintiff, DEUNTA BOYETT was legally and lawfully operating a 2017 Freightliner motor vehicle and parked in the northbound direction on or about 6765 Imron Drive, City of Belvidere, County of Boone and State of Illinois.

20. That on or about March 24, 2020, Defendant, MOHAMMAD ALI YASIN was driving a 2015 International freightliner motor vehicle and backing into the parking space immediately west of Plaintiff's motor vehicle on or about 6765 Imron Drive, City of Belvidere, County of Boone and State of Illinois.

21. That at the aforesaid time and place, a collision occurred between the motor vehicle in which Plaintiff, DEUNTA BOYETT was operating and the motor vehicle that the Defendant, MOHAMMAD ALI YASIN was driving when Defendant, MOHAMMAD ALI YASIN caused the rear portion of the motor vehicle he was driving to collide with the motor vehicle Plaintiff, DEUNTA BOYETT was operating.

22. That at all times material hereto, it was the duty of the Defendant, MOHAMMAD ALI YASIN to exercise ordinary care in the ownership, operation, maintenance, and control of said motor vehicle for the safety of the person and property of others there and then upon said roadway and especially the Plaintiff, DEUNTA BOYETT herein.

23. That in violation of this duty, the Defendant, MOHAMMAD ALI YASIN acted or failed to act in one or more of the following ways, amounting to negligent conduct and violating the Motor Vehicle Laws of the State of Illinois:

- a. Operated said motor vehicle without keeping a proper and sufficient lookout for other motor vehicles in and about the area, and more particularly, for the motor vehicle being operated by the Plaintiff, in violation of the provisions of 625 ILCS 5/11-601;
- b. Proceeded at a speed which was greater than reasonable and proper with regard to traffic conditions in the use of the way, or which endangered the safety of Plaintiff, DEUNTA BOYETT, in violation of the provisions of 625 ILCS 5/11-601;

- c. Failed to decrease the speed of said motor vehicle so as to avoid colliding with the motor vehicle being operated by Plaintiff, DEUNTA BOYETT, contrary to and in violation of the provisions of 625 ILCS 5/11-601;
- d. Failed to equip said motor vehicle with proper brakes, contrary to and in violation of the provisions of 625 ILCS 5/12-301;
- e. Failed to give audible warning with said motor vehicle's horn of the approach of said motor vehicle, although such warning was necessary to insure the safe operation of said vehicle, contrary to and in violation of the provisions of 625 ILCS 5/12-601;
- f. Failed to keep said motor vehicle under proper control and failed to stop, slow down, or otherwise alter the speed, movement or direction of said vehicle when danger of collision with the motor vehicle being operated by the Plaintiff, DEUNTA BOYETT, was imminent, contrary to and in violation of the provisions of 625 ILCS 5/11-710;
- g. Knowingly drove a motor vehicle with total disregard for the safety and well-being of other motor vehicles, drivers and passengers, particularly, Plaintiff, DEUNTA BOYETT, using the roadways of the State of Illinois, in violation of the provisions of 625 ILCS 5/11-503;
- h. Otherwise acted in a careless or negligent manner in operation and control of said motor vehicle.



24. That as a direct and proximate result of Defendant, MOHAMMAD ALI YASIN aforesaid careless and negligent acts and/or omissions, the Plaintiff, DEUNTA BOYETT was caused to sustain personal injuries, to incur and pay medical and hospital expenses, incur a loss of wages, and to be absent from his usual pursuits and occupation for a period of time.

**WHEREFORE**, Plaintiff, DEUNTA BOYETT prays for judgment against Defendant, MOHAMMAD ALI YASIN in an amount in excess of \$75,000.00 dollars plus court costs, attorney's fees, and for whatever other relief this court deems just and appropriate.

Respectfully submitted,

GAINSBERG LAW, P.C.

By: /s/ Samantha Gutierrez  
Samantha Gutierrez  
Attorney for Plaintiff

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